

20.30.075 Over-Water Structures – Including Docks, Piers and Floats and rafts

Docks are fixed structures floating upon the water. *Piers* are fixed, pile-supported structures. *Floats* (rafts) are floating structures that are moored, anchored, or otherwise secured in the water that are not directly connected to the shoreline. All of these types of overwater structures are found in the City's shoreline jurisdiction. These structures typically require permits from local, state and federal agencies. For structures overlying state owned lands, an Aquatic Lands lease and authorization from the Department of Natural Resources is required. For the purposes of this section, docks, piers and floats will be called Over-Water Structures and addressed together unless otherwise noted.

1. Policies

- a. ~~In water~~Over-water structures should be designed to minimize impacts to ecological functions of the water body including but not limited to water quality, anadromous and forage fish habitat, spawning and rearing areas, migration, and passage.
- b. New ~~over-water structures piers and docks~~ should be restricted to the minimum size necessary and permitted only when the applicant has demonstrated that a specific need exists to support the intended *water dependent* use.
- c. Ensure that ~~docks, piers and floats (rafts)~~over-water structures are designed and maintained to avoid adverse impacts to the environment and shoreline aesthetics and minimize interference with the public's use of the water and public beach area.
- d. Encourage the use of mooring buoys in place of over-water ~~boating~~ structures.
- e. Encourage shared docks between multiple owners for single family waterfront development to minimize over-water coverage adversely impacting shoreline ecological functions.
- f. Over-water structures should be designed to avoid the need for maintenance dredging. The moorage of a boat larger than provided for in the original moorage design shall not be grounds for approval of dredging.

2. Regulations

General Regulations for Public and Private Over-Water Structures

- a. New ~~docks, piers, floats and rafts~~over-water structures shall be limited to those required as part of a permitted water dependent use or for joint use of the facility.
- b. Private, single residence ~~piers~~over-water structures for the sole use of the property owner shall not be considered an outright use on City of Burien marine shorelines. ~~An over-water structure pier, dock or float~~ may be allowed on the marine shoreline

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when the applicant has demonstrated a need for moorage and the following alternatives have been investigated and are not available or feasible:

- i. Commercial or marina moorage;
 - ii. Floating moorage buoys;
 - iii. Joint use moorage pier.
- c. The design and construction of ~~docks, floats, and piers~~ over-water structures -as well as their subsequent use and operation, shall:
- ~~i.~~ i. Be capable of withstanding expected environmental conditions; and
 - ~~ii.~~ ii. Minimize interference with adjacent water uses and navigation; and
 - ~~iii.~~ iii. Minimize adverse effects on fish, shellfish, wildlife, water quality and geohydraulic processes by limiting the size of the structure and the use of hazardous materials, incorporating grating to allow light passage or reflective panels to increase light refraction; and spaced and oriented to minimize shading and avoid a 'wall' effect that would block or baffle wave patterns, currents, littoral drive, or movement of aquatic life forms.
- d. ~~Piers, docks and floats~~ Over-water structures shall not be used for residential dwelling purposes nor provide moorage for boats that are occupied longer than two (2) days unless pump-out facilities are available and then no longer than seven (7) days total.
- e. Only joint use ~~dock, moorage, float or launching facilities~~ over-water structures are allowed for attached dwelling unit developments.
- f. Only one ~~dock, moorage, raft, float or launching facility~~ over-water structure is allowed for each single family detached residential lot.
- g. No covered moorage is allowed waterward of the ordinary high water mark.
- h. Development Standards:
- i. The total surface area of over-water structures of private residential piers, including all floats, ramps, ells and fingers, shall be limited to the following:
 - a) Four hundred twenty (400) square feet for a single property owner;
 - b) Six hundred sixty (660) square feet for a joint-use structure utilized by two residential property owners; or
 - c) Seven hundred forty (740) square feet for a joint-use structure utilized by three or more residential property owners.
 - ii. The maximum width of a pier walkway is four (4) feet for the first 30 feet waterward of the OHWM and six (6) feet for the remainder of the walkway.
 - The maximum width of ells and floats is six (6) feet.
 - Any additional fingers must be no wider than two (2) feet.
 - The maximum width of a ramp connecting a pier to a float is four (4) feet.

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- iii. Decking: All new over-water structures in the marine environment must be fully grated. Decking shall have a minimum open space of 40%, and shall result in at least 60% ambient light beneath the pier. All new over-water structures on Lake Burien are exempt from the grating requirements.
- iv. Piles. Piles shall be either maximum 5-inch-diameter steel or 5-inch diameter untreated wood, and shall be spaced a minimum of 12 feet apart except when shown not to be feasible for site-specific engineering or design considerations.

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Repair or Replacement of Existing Private Piers or Dock

- b. Proposals involving repair or replacement of the entire private pier or dock, or 50 percent or more of the dock or pier-support piles can be replaced up to 100% of the size of the existing pier or dock and shall comply with the following standards:
 - i. Decking: All replacement piers in the marine environment must be fully grated as described in subsection 2.A.i above. All new over-water structures on Lake Burien are exempt from the grating requirements.
 - ii. Replacement piles must be sized as described above under 2.A.i. and must achieve the minimum 12-foot spacing to the extent allowed by site specific engineering or design considerations.
- c. Repair proposals which replace less than 50 percent of the existing pier support piles must comply with the following:
 - i. If the width of pier element is wider than 8 feet in the area where the piles will be replaced, the decking that would be removed in order to replace the piles shall be replaced with grated decking as described in subsection 2.h above. In such cases the grating shall be a minimum of 6 feet in width, the remaining width of the replacement decking may be of solid construction.
 - ii. Replacement piles must be sized as described above under subsection 2.A.i. above, and must achieve the minimum 12-foot spacing to the extent allowed by site-specific engineering or design considerations.
- d. Other repairs to existing legally established moorage facilities where the nature of the repair is not described in the above subsections shall be considered minor repairs and are permitted, consistent with all other applicable codes and regulations.

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Recreational Floats/Swim Platforms

- a. A maximum of two new recreational floats/swim platforms are allowed on Lake Burien, as of the date of adoption of this SMP.
- b. All new recreational floats on Lake Burien are subject to the following:
 - iii-i. New floats/platforms shall be up to a maximum of 150 square feet.
 - iv-ii. New floats shall be located:

- a) In water with a depth of 15 feet or more measured from ordinary high water mark at the landward end of the float and may be located up to a maximum waterward distance of 200 feet, whichever is reached first.
- b) So as not to constitute a hazard to navigation or other public use of the water.
- c. Floats/platforms shall be designed and intended for swim use or other nonmotorized, but water-oriented, use.
- d. Height. Floats/platforms must be built so that the deck surface is one (1) foot above the water's surface and they must have reflectors for nighttime visibility.
- e. Retrieval lines shall not float at or near the surface of the water.
- f. All float tubs shall be fully encapsulated.
- g. Existing recreational floats/swim platforms on all lakes may be repaired and/or replaced subject to the standards in b. above in addition to the following:
 - ~~iv.~~iii. Replacement floats shall be of the same size as the existing float..

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